

FARMINGTON CITY – CITY COUNCIL MINUTES

AUGUST 3, 2021

WORK SESSION

*Mayor Pro Tempore Brett Anderson,
Councilman Shawn Beus,
Councilman Scott Isaacson,
Councilwoman Amy Shumway,
Councilwoman Rebecca Wayment,
City Recorder Heidi Bouck,
Recording Secretary Deanne Chaston,*

*Community Development Director Dave Petersen,
Assistant City Manager/City Engineer Chad Boshell,
Jayme Blakesley (filling in for City Attorney Todd Godfrey), and
City Lobbyist Eric Isom.*

Mayor Pro Tempore **Brett Anderson** called the work session to order at 6:10 p.m. Mayor **Jim Talbot** and City Manager **Shane Pace** were excused.

UPCOMING AGENDA ITEMS

Community Development Director **Dave Petersen** introduced the Second Story Porch and Balcony agenda item. He explained the photos in the package that show other examples of porches in the area. The Staff recommends passage of the clarifying language.

Next on the agenda was Short Term Rentals (STRs). **Petersen** said there are not many STRs in Farmington at 57. It is a bigger deal in other communities such as Hurricane or Cottonwood. One recent complaint was when people at a party at a Farmington STR were shooting at the hill side. The language would prohibit STRs in Farmington. The State law says a City cannot look at an STR website listing as the only evidence to go after a STR. **Jayme Blakesely**, filling in for City Attorney **Todd Godfrey**, said the listing must be used along with something else. **Petersen** feels STRs are not in the character of Farmington. The definition of STRs comes right out of State Code. **Petersen** said the State's language will become part of the City's code by October 1, 2021, unless otherwise addressed. The STR is excluded from the definition of "dwelling," which is used in many other instances.

Petersen presented the Affordable Housing agenda item. In all agriculture zones and all single-family residential zones, 10% affordable housing is used as an incentive to get more lots. This new language will simplify explanations Staff give the public.

Councilman **Shawn Beus** said the Planning Commission wanted this to be a requirement in both single-family and multi-family areas. There are not many large single-family subdivisions that

are expected. Councilwoman **Amy Shumway** said she likes that open space is still an option, and the Council can decide if open space or affordable housing is more desirable. **Beus** said this is pretty new, and Farmington is the first suburban city in Utah to address this in this manner. There are two Wasatch Back cities that have enacted something like this, but this is groundbreaking on the Wasatch Front. It is a bit of an experimentation, and tweaks may be needed in the future. The timing to adopt this was important. **Petersen** said Staff recommends adopting this.

Petersen introduced the Farmington Station Center Townhomes, which is the **Chris McCandless** property. The packet includes the Project Master Plan (PMP). The Office Mixed Use (OMU) Zone does not allow residential, and this is a Development Agreement (DA) that authorizes them to do residential. Along 1400 West, Commerce Drive and Burke Lane, the garages will not be seen. Their blocks are slightly bigger than called for in the City's regulating plan. There are side treatments that don't quite meet requirements, but they had a good plan that could be approved in the DA. There are 14 pages of boiler plate language in the DA.

A land exchange agreement with the applicant would square up and increase the area of the City park. Staff recommends tabling the land exchange agreement in order to allow more time for review. The parking lot would be made available when the City completes the park. That language would be included in the land exchange agreement. **Shumway** asked if the guest parking could be made available for free instead of charged for by the Homeowner's Association (HOA). The developer said it could be put in the covenants not to charge for guest parking. The HOA's intention is for free guest parking on a first-come-first-served basis.

Councilman **Scott Isaacson** said there are many technical problems with the language. For example, all the references are wrong. **Anderson** noted that mediation should be binding. **Petersen** encouraged **Isaacson** to go through it thoroughly and make suggestions.

Petersen mentioned Summary Action Item #2, Rice Farms. The applicant wants to put a swimming pool on one of the lots, which would require the need to combine lots. There is a storm drain between the lots. It is a 30 inch line that the City can't get rid of. There were no complaints when a letter was sent out, so it was not necessary to hold a public hearing. The 20-foot drainage easement must remain.

Petersen mentioned the request for a boundary adjustment. **Stephen Ostler** has two lots, one of which has been vacant for a long time. He would like to sell one lot, which has a culinary water line. He would like to shimmy the lots.

Assistant City Manager/City Engineer **Chad Boshell** discussed the Utah Pollutant Discharge Elimination System (UPDES) permit for state storm water, an interlocal cooperation agreement between Davis County and Davis County Cities. It is time to re-up it. Farmington is agreeing to participate, to jointly and cooperatively implement it. The coalition meets monthly to discuss issues. It allows cities to pool resources to meet all state and federal requirements so training and public outreach can be done together. It saves each city a lot of time and effort.

Boshell noted the water line replacement project. Only three or four laterals would be needed to fully abandon a 2-inch line in favor of a new 10-inch line. The City will run out of money before it is done, and an additional \$10,000 to \$30,000 is needed to finish the last three or four laterals. A budget amendment may be needed. He wanted to see if Council members had any objections.

The 1100 West storm drain line from the elementary school south, then another 1,500 feet, may be undersized considering the freeway and overpass. It may need to be extended another 1,000 feet in the future. This would be another unexpected cost that was not budgeted for. It is cheaper to do it now than tear up land in the future. **Isaacson** said if the freeway is going to create a dam, he thinks the Utah Department of Transportation (UDOT) should pay for it. **Boshell** said it is sufficient for a 25-year event, but the City doesn't want that event at all.

Boshell said storms are changing over the years. While there is still the same amount of water annually, the snow pack is smaller. Instead of long snow pack melt, short, huge downfalls of precipitation are coming that can't be collected as efficiently.

REGULAR SESSION

*Mayor Pro Tempore Brett Anderson,
Councilman Shawn Beus,
Councilman Scott Isaacson,
Councilwoman Amy Shumway,
Councilwoman Rebecca Wayment,
City Recorder Heidi Bouck,
Recording Secretary Deanne Chaston,
Community Development Director Dave Petersen,*

*Assistant City Manager/City Engineer Chad Boshell,
Assistant City Manager/Economic Development Director Brigham Mellor,
Jayme Blakesley (filling in for City Attorney Todd Godfrey), and
Wayne Kartchner, Davis Journal reporter*

CALL TO ORDER:

Mayor Pro Tempore **Brett Anderson** called the meeting to order at 7:09 p.m. Mayor **Jim Talbot** and City Manager **Shane Pace** were excused.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Councilwoman **Rebecca Wayment** offered the invocation, and the Pledge of Allegiance was led by Councilman **Scott Isaacson**.

PUBLIC HEARINGS:

Ordinance Amending Chapter 2 and 7 of the Zoning Ordinance Regarding Second-Story Porch and Balcony

Community Development Director **Dave Petersen** presented this agenda item. There was a proposal in the Original Townsite Residential (OTR) zone for a home with a roof over a porch that was two stories high. Porches are a common element in this zone. It was taken to the Historic Preservation Commission to get their opinion. There is a new home on 100 North between Main and 100 West that fits all the criteria with a big front porch. It is modern and built in this era. The ordinance is more subjective than one would think. This ordinance is to add some structure when the occasion arises.

Anderson opened the Public Hearing at 7:15 p.m. Nobody signed up in person or electronically to address the Council on the issue. **Anderson** closed the Public Hearing.

Councilman **Shawn Beus** said it was good to maintain the essence of the downtown area, and this is an appropriate modification of the rules.

Motion:

Isaacson moved that the City Council amend 11-17-070 D New Construction Design Guidelines; and add the definitions of “porch” and “balcony” to 11-2-020 Definitions of Words and Terms to the Zoning Ordinance as shown in Exhibit “A” attached.

Findings 1-4:

1. On March 24, 2021, the Historic Preservation Commission reviewed an elevation for historical appropriateness. The Historic Preservation Commission requested the City define what a true second-story porch is.
2. Providing a definition for porch and balcony is necessary to avoid inauthentic architectural elements on the facades of the buildings in the OTR Zone.
3. This is an appropriate and needed update to the Original Townsite Residential (OTR) Design Guidelines as porch elements and other urban design attributes create an inviting place in the downtown core. This adds to the fine architectural grain and unique sense of place indicative of this area.
4. On July 15, 2021, the Planning Commission held a public hearing and recommended the City Council approve the changes as shown in the Staff Report.

Beus seconded the motion. All Council members voted in favor, as there was no opposing vote.

Ordinance Amending Chapter 2 of the Zoning Ordinance Regarding Short Term Rentals

Petersen said the 57 Short Term Rentals (STRs) in Farmington represents 1% of the City’s housing stock or less. There have been three complaints in the last 12 months. He wants to be ahead of the curve and not mess with licensing, buffering, etc. There are not enough STRs to get that involved. The City can put a lid on it right now by clarifying that an STR is not a dwelling, which is used in multiple locations in the ordinance.

The Council will see language about internal Accessory Dwelling Units (ADUs) in September, and will understand then how the STR language interweaves with that. The Planning Commission is reviewing that Thursday. Staff recommends approval.

Anderson opened the Public Hearing at 7:21 p.m.

Wayne Kartchner (396 N. 200 E., Farmington, Utah), a reporter for the Davis Journal, wanted to know about the complaints being received and if STRs are going to be completely forbidden. **Petersen** answered that the City has never gone after STRs, which have existed for a number of years. Per State law, it is illegal to go after STRs just based on their website listings. He feels it

is best to make sure STRs are not counted as part of a dwelling. An ADU and renting out a portion of the home is acceptable, but not for fewer than 30 days. Farmington is not to the stage of having enough STRs that it is needed to register or have a business license. However, it may change in the future due to Lagoon and other tourist attractions. Regional and baseball sporting events may also impact the demand.

Petersen said the complaints came from a pretty nice neighborhood at 2 a.m. when the people wanted to do some shooting and raise a ruckus. That was shut down because the property owner was renting out the home, but the rest as a STR. The property owner was called on there being two dwellings. The 57 standing STRs will be grandfathered in. Staff had to consider hotels while drafting this, and not make STRs prohibited across the board. The word “dwelling” is used a lot in the code as a defined term. He feels this is a good approach for now, although there may need to be an STR registry in the future. **Anderson** said with this proposal, STRs would not be permitted because they are outside the definition of a dwelling. He said he has a client in St. George using his home as an STR, and he got an indictment to show up at criminal court.

Anderson closed the Public Hearing at 7:27 p.m.

Councilwoman **Amy Shumway** said she appreciates the forward thinking before the City gets more complaints. **Isaacson** said the State statute seems really odd to him, as it seems to take away from the City the ability to enforce an ordinance. The City is not necessarily opposed to all STRs, but the City needs tools to stop related nuisances. It is an interesting dilemma.

Petersen said based on State Code from last spring, cities can allow internal dwelling units and have the ADU property owner sign something that runs with the property that if the unit is used as an STR, the City can use the website to enforce it. He is not sure what surrounding cities are doing about STRs. He predicts that the State Legislature will consider legislation on STRs in an upcoming session.

Shumway asked if her children moved out of her basement and she wanted to make it an STR, how that could be done. **Petersen** answered that it could be advertised on the website without modifying the unit’s structure or getting a building permit. Cities cannot enforce that. Even a complaint is not enough; there would have to be more evidence. This City could send out notice of violation of two-family dwelling. Many times when someone is sent a notice, they shape up. This may not make much of a difference as things are hard to enforce unless they become very egregious. But it is nice to have something in the hip pocket.

Anderson said he has heard of places by Pineview and Eden where the rental contract is for 31 days, but the renter can leave whenever they want. It is a way of playing a game, and it is

important to consider how people will get around it. **Petersen** said it may need to be repealed in the future if it is not effective. **Wayment** said she is O.K. with it for now.

Motion:

Wayment moved that the City Council approve the enabling ordinance amending Title 11, Chapter 2, Section 020: Definitions of words and terms of the Farmington City Zoning Ordinance, which updates the definition of “dwelling” and adds the definition of “short term rentals” as shown below:

DWELLING: Any building or portion thereof, which is designed for use for residential purposes, except hotels, apartment hotels, boarding houses, short-term rentals and/or rooming houses, tourist courts and automobile house trailers.

SHORT TERM RENTALS (STR): means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

Findings 1-5:

1. Prohibiting short-term rentals allows dwelling units to be preserved for moderate-income housing opportunities.
2. Tracking, licensing, and or permitting Short Term Rentals by business license, a building permit, or rental permit may require sufficient staff resources and/or time.
3. Short-term rentals can be the subject of nuisance complaints involving loud noise, parties, trash, fighting, inconsiderate guests, inadequate parking, excessive coming and going, as well as commercial use of residential properties for private events. It is in the public interest to adopt an ordinance regulating Short Term Rentals to preserve the character and neighborhoods in the City.
4. If a need arises, further Short Term rental regulations can be reconsidered in the future.
5. The Planning Commission held a public hearing and considered this request on July 15, 2021. The Planning Commission recommended the City Council make the changes to the Chapter 2 of the Zoning Ordinance.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

Ordinance Amending Zone Text for Affordable Housing

Petersen presented this agenda item. The floods of 1983 are evidence that was a high water year. At that time, Farmington wasn't populated yet like Bountiful was. Fields separated Centerville from Bountiful. Since, those fields have filled up with development. But Farmington wanted to keep that open space feel and have a trail plan. Twenty-two years ago, Farmington downzoned the entire community, doubling lot sizes across the city. To get back to original lot sizes, developers had to provide open space. Now, trails have come about and single family areas have filled up. Currently there is a housing crisis, as those homes are not affordable anymore.

The City established an Affordable Housing Committee. Instead of leveraging the 1999 decision for open space or trails, it was decided to leverage it for affordable housing as well, giving the property owner a "carrot" to get additional lots. If you want the 1999 lot size, you have to provide affordable housing, defined as for 80% or lower than the area median income. This would be for school teachers, firemen, and the rank-and-file citizen. Even the executives who work in the office park need a place to live. It is not a mandate for single-family areas, but allowed as an incentive in mixed-use areas. There is also a fee-in-lieu option. The last page in the draft ordinance has an objective fee in lieu calculation table. Fees received can only be used for moderate income housing purposes. The City is trying to do its part to tackle affordable housing issues.

Beus said this would mostly apply to the area north of Farmington Station. **Petersen** said it would be effective upon publication, which would be tomorrow, and retroactive six months back, or to February of 2021. This would apply to all applications received on or around February or later.

Anderson opened the Public Hearing at 7:47 p.m.

Wayne Kartchner (396 N. 200 E., Farmington, Utah) a reporter for the Davis Journal, asked what nine things the city is doing to address affordable housing. **Petersen** answered that the state provided a total possibility of 23 things, of which the City is doing nine. He invited **Kartchner** to come by his office for a more in-depth conversation.

Anderson closed the Public Hearing at 7:48 p.m.

Beus thanked the Affordable Housing Committee put together last fall, which included a developer, Planning Commissioners, City Staff, a representative of the Davis Housing Authority, and other planning professionals. The volunteer group met for a year, deciding to be proactive

and get ahead of the housing crisis. They spent many work sessions on one of the most important issues of the day: how to prepare housing for the next generation.

Shumway also thanked the participants and said Farmington is currently not an affordable place to live. She is grateful that even developers have gotten on board with affordable housing, which is one of the biggest problems in the state. She wants Farmington to be a leader. She likes the proposal because it gives the City and Council choices in how to tackle the problem.

Isaacson said this is a good proposal. However, many residents are afraid of the impact affordable housing will bring to Farmington. But he asked where the school teachers and firemen are supposed to live. Those people can't live here currently, and Farmington should strive to be inclusive. He congratulated the Staff for their creativity that resulted in a well-thought-out statute. There may be tweaks needed in the future, but he is supportive of this proceeding.

Wayment said she remembers when the City began talking about affordable housing in early 2020. At the time, the discussion didn't go anywhere. The year 2020 taught many how to think outside the box. This allowed the draft to come forward offering diversified housing.

Anderson said he is always a bit hesitant to compel people to do things, and he doesn't like the idea of making it compulsory for developers to do 10% affordable housing. He is afraid this is being forced in the mixed-use areas. **Petersen** said it is not mandatory at a certain base level if the fee in lieu is considered. Wasatch jumped at the chance to provide affordable housing on its low density 18-20 acres. Castle Creek promised to do it on their second phase. The Sidwell property is not covered by this ordinance.

Anderson is worried about creating a standard that can't be met, as you can never have 10% of four units. **Petersen** said that is where the fee in lieu comes in. **Anderson** said that would be a mandatory money-maker for the City. **Isaacson** said that since this will only be in the multifamily areas, there will likely always be many units being developed. However, he is a bit troubled about having rules of what people must do with their property. **Anderson** asked if language could be added saying "at least" 10%.

Beus said this is still an option that the Council has influence on. This is just adding a tool to the City's belt. He feels it is the role of government to step in when the market can't correct itself; in this case, it needs a nudge. Developers and the public want to see collaboration and both market-rate and affordable units intermixed in the same development. He said the Business Residential zone, Main Street, 200 East, and State Street would be excluded from this.

Peterson said that the City can consider a mix of incentives including open space, trails, affordable housing, or some other “public benefit.”

Shumway said affordable housing should be considered everyone’s problem. The Legislature is fighting a stigma by saying this is a public problem that needs addressed and if it’s not, cities will lose transportation funding for roads. It is a problem for everyone, not just a few select people.

Isaacson said he is O.K. with the proposal only because it doesn’t apply to single family. **Beus** noted that the version approved by the Planning Commission included it in the single family areas. ADUs are becoming a more acceptable use across the country, allowing single-family zones to meet housing demands. Farmington may end up being the leader and example, and he hopes the State Legislature takes notice. He anticipates a lot of questions, and that Farmington may take some bullets and heat. From a city, cultural, and economic development standpoint, Farmington needs this because \$800,000 is far from affordable.

Anderson said he sees what needs to be done, but he has misgivings. Adding “at least” 10% language would help. He hopes the City can be both responsive to its citizens and fair to the developers. This is big.

Motion:

Beus moved that the City Council approve the enclosed enabling ordinance which amends existing text and provides new sections to the Zoning Ordinance related to moderate income housing, with an addition that the language “at least” 10% affordable housing be amended, including Findings 1-3 in the staff report.

Findings1-3:

1. As required by State law, Farmington City adopted a moderate-income housing plan as an element of the City’s General Plan on October 29, 2019. This plan identified a shortage of housing for existing low- to moderate-income households in the community. The proposed zone text changes will help the municipality meet its affordable housing needs.
2. The changes are consistent with the Farmington City General Plan.
3. Recent studies show that low- to moderate-income housing shortages will continue in the future. Changes to the ordinance present a mechanism to help meet the shortfall.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

Farmington Station Center Townhomes

Assistant City Manager/Economic Development Director **Brigham Mellor** joined the meeting. **Petersen** presented this agenda item. The Farmington Station Center Townhomes are located south of Burke Lane and east of 1525 West. This project is all currently zoned Office Mixed Use (OMU), which doesn't allow for residential development. The applicant entered into a Project Master Plan (PMP) and Development Agreement (DA) with the City, which includes the ability to ask for residential elements. This would be similar to a zone change, since Section 140 is a legislative act. The DA provides a good product and is what Section 140 is about: a win-win for the City. He suggested that the Council table this item to allow for a land use exchange to occur. Farmington owns the **Steve Cox** and **Deb Turpin** property. If the land exchanges goes through, the Farmington park increases in size, and the applicant's project area gets squared off, which is mutually beneficial. The land exchange is not ready yet for Council consideration. The Council can't issue a decision until September, but the Planning Commission did recommend approval in July.

Chris McCandless (9071 S. 1300 W., West Jordan, Utah) addressed the Council. He said shared parking in this project will be free. He said he did a past land exchange with Salt Lake County using their template document, which he will send to Farmington. His company took a lot of time to prepare the master plan. He presented the Top 10 reasons Farmington City should approve of the Farmington Station North – Sego Homes project moving forward:

10. Good guys! **McCandless** and **Mike Williamson** with CW Management and Blue Star along with **Wayne Corbridge** and **Spencer Corbridge** of Sego Homes are good local guys. They think that together with the City, they have common objectives and feel that the City is a partner in the process. Since 1977, they have never failed a commitment to a City and have never not made their payments.

9. Embrace the OMU Zone. They are ardent believers of the commercial use for the 10 remaining acres and imposing a self-inflicted restriction against any residential use on the rest of their property. He said the property is the "hole in the donut." This could be a phenomenal cohesive community and they are willing to have a residential restriction on the remaining 60% of their property.

8. Financial flexibility provides a better project. Because the residential is developed first, it allows them to sell that property to Sego Homes and retire a large portion of their debt. This gives them the ability to be finicky on how the OMU property is developed. The "hole" in the donut should be something cool. The City and applicant have been team players, as the City asked for an easement and the applicant did not ask for an appraisal.

7. Cooperative team players. **McCandless** and **Williamson** are very cooperative team members who have cooperated with Farmington City needs as it relates to being flexible to change their plans to suit the City's plans. This will continue as the project moves forward.

6. Staging the development. Staging the office development over time will create a broader, more sustainable office community. In other words, if all the office land is developed at the same time, the office rates and product will oversupply the demand. There are two rather large office developer players with more financial stability on properties north and south of the site in question, and it should be staged to absorb the office product when it is appropriate to the market.

5. Buffering. Sego Homes is including additional live-work townhomes to create a buffer between the high-density Wasatch Apartments to the north.

4. Advance infrastructure/roads. In concert with the residential development, Farmington Station Center (FSC) will complete the dedicated Right of Way (ROW) called 1400 West. This will help accelerate the office development and provide defined separation between the office, park and homes.

3. Upscale residential housing. The townhomes have a cohesive look that will blend in well architecturally with the office park.

2. Building a community of residents. The townhomes will be required by restrictive covenants to be owner-occupied (95%), for-sale homes that will build a stable resident community and are expected to be less than half the density as their northern neighbor.

1. They really want to help make the City Park better by coordinating a land exchange, moving the new road north, and providing some of their land for a shared 150-stall parking lot. This will increase the functional park site back to its original City-based size and allow a better regional park.

Mellor said **McCandless** predates Stack. The City purchased the detention basin/future park in 2018. Because the City has been burnt by another past transaction, Farmington needed to create an arms-length agreement between the Utah Department of Transportation (UDOT) and another party. The Amenti family wanted a higher price on the land, which was 30% more than UDOT was willing to spend. Farmington ended up doing an impact fee credit, which is only applicable to storm drains and parks. What justified that with legal counsel was the fact that Farmington was getting a quasi-regional detention basin. The State is now taking away 5 to 6 acres at Glover, and giving Farmington what is left over. The park to the south is the result of the arms-

length transaction. Wasatch to the north will get \$600,000 in impact fee credits while **McCandless** will get \$1.2 million.

Mellor said there is good reason that the City consider allowing the applicant to develop the residential units first. **Mellor** is confident that the northwest corner is going to be built out in short order. Two big developers—Stack and Boyer—are coming into this area. If the City forces the applicant to build big commercial buildings to compete with Stack and Boyer, the result will be a subpar product. There is no need to build out all commercial buildings at once. The land swap is of utmost importance, and should be determined as soon as possible because roads are being designed right now, especially the east-west road. The company currently sketching the park is going to incorporate the shared parking across the street. There is no reason to proceed with the land swap and road alignments unless a development is pending. He is confident the office will be built out in short order. He said from an economic development standpoint, this application provides a housing product that fits the area.

At 8:45 p.m., **Anderson** opened the Public Hearing.

Mike Benson (1293 W. Burke Lane, Farmington, Utah) addressed the Council. He lives to the east of this development and welcomes this addition to the community. He said allowing the applicant to develop residential first will provide an opportunity for better commercial in the future, which may pleasantly surprise residents.

Mike Romney (1451 Burke Lane, Farmington, Utah) said he is surrounded by this development and it is a good time to make progress in this area, especially if the applicant is legally bound to do office building on 60% of the project area.

Anderson closed the Public Hearing at 8:49 p.m. He asked about the continuity of trees in the community, suggesting a tree plan with sycamores.

McCandless said sycamores are his favorite tree and he has planted thousands. He said the landscape plan can be modified to include sycamores.

Isaacson said the key is allowing the residential in first, and make sure the rest will be binding for as long into the future as possible. He would like time to read through the agreement a little more, as well as get assistance from the City's legal counsel. He said the key is the length of the term of the DA and if it is binding on future land owners. He would like to make it as binding as possible. **Anderson** suggested a successor clause, mentioning that the 7.1 successor binding language is worded weirdly.

McCandless said his intent was the DA would be in perpetuity.

Jayme Blakesley (filling in for City Attorney **Todd Godfrey**), said some can be in covenants and some in the agreement. He would like to look at the dispute resolution language more closely.

Wayment said she doesn't want to lose traction on the office portion of the agreement.

Shumway requested that a brief description be included with the color coding legend in future land use maps. **Wayne Corbridge** with Sego Homes discussed the diversity of floor plans, mentioning J and K are back-to-back townhomes with no back yards but include a front door, garage and landscaping in the front. This will permit more fenced yards and outdoor decks that can house barbecues.

Anderson said people are concerned with water, and doing away with park strips. **Corbridge** said South Jordan City changed their ordinance for drought-tolerant plants, so park strips do not need grass anymore in Day Break. He plans to use the same low-water principles in Farmington.

Motion:

Shumway moved that the City Council table the PMP/DA and Schematic Subdivision Plan, as well as a zone text amendment modifying the City's Regulatory Plan for Farmington Station Center Townhomes, to allow time for the Land Exchange Agreement to be finalized.

Findings for Approval:

1. Farmington Station Center Townhomes provides an innovative townhome concept to the mixed-use areas.
2. The project is a 60% to 40% commercial/residential use, which aligns with, or exceeds, that ratio in other proposed area projects.
3. The applicant would provide a land exchange agreement for shared parking and allow for the City to include more useable space as part of the park by re-aligning "Cook Lane."

Beus seconded the motion. All Council members voted in favor, as there was no opposing vote.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including 2021 Interlocal Agreement between Davis County and Davis County for UPDES Permit; Plat Amendment—Rice Farms Phase 1 A Lot 105 & Parcel 07-254-0113; Plat Amendment—Farmington Hills Amended Lot 61 & 69; and approval of minutes from July 6, 2021.

Motion:

Shumway moved to approve the Summary Action list items as noted in the Staff Report.

Isaacson seconded the motion. All Council members voted in favor, as there was no opposing vote.

GOVERNING BODY REPORTS:

City Manager Report

Assistant City Manager/City Engineer **Chad Boshell** presented the Fire Activity Report for June.

Mayor Talbot and City Council Reports

Shumway asked about the Main Street water connections. She received an email about trees along Lagoon Trail a few weeks ago. After the windstorm, Davis County and Parks and Recreation cleaned up the creek, but there are still massive root balls and debris left behind that will take effort to remove. This is the heart of the City and it should be cleaned up. **Boshell** referenced a massive clean-up planned for September 11, 2021, when many regional churches will be serving the City on the statewide service day. **Shumway** said volunteers are not allowed to even bring chainsaws, and it is likely after September 11 that the City will need to bring more professional help for the final clean up this fire hazard.

Wayment agreed that it will take heavy equipment to take care of the stacked piles of debris on the Davis Creek Trail. Farmington Public Works Department may need to get involved after the day of service. **Shumway** said Davis County may need to get involved as well, as they were the ones who cleaned out the debris and put it on the sides of the creek to begin with. **Isaacson** said he has unsuccessfully tried to get the County to clean out the flood hazard in the creek in his backyard for 16 years, and the County really should do something. **Shumway** said the County helped in the Farmington Crossing area. They have a program and need to be pushed further. **Anderson** asked about the cost of hiring a professional to come haul the debris out, and proposed doing it 50/50 with the County's cooperation. **Isaacson** said City Manager **Shane Pace** had estimated it would take \$100,000 to hire a professional to do the job. **Boshell** said he would mention it to **Pace** in the future.

Shumway also asked about a tree replacement program, as Heritage Park is looking bare.

Anderson mentioned a ribbon cutting at Body Bar on August 11, 2021, at 4 p.m.

ADJOURNMENT

Motion:

At 9:15 p.m., **Wayment** made a motion to adjourn the meeting. **Beus** seconded the motion, which was unanimously approved.

Heidi Bouck, Recorder